

**U. S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**A COMMITMENT TO COMMUNITIES:
ACHIEVING ENVIRONMENTAL JUSTICE**

An Implementation Report
March 1996

Introduction

The Department's goal to ensure decent, safe, and suitable living environments is grounded in a commitment to assist communities realize their plans, objectives, and to renew themselves. To actualize that goal and to facilitate the renewing of America's Communities;

HUD will promote sound environmental considerations in community development and housing policies that, at the same time, will preserve housing affordability and encourage rural and urban economic growth and private sector investment.

HUD has helped increase the nation's homeownership rate to the highest level in 15 years by partnering with leading private sector actors in the housing industry. HUD has empowered local communities and nonprofit organizations with flexible tools to revive neighborhoods, build affordable housing, and create jobs. HUD is transforming public housing into well-managed, attractive, low-rise apartment communities that will help low-income families become self-sufficient. HUD is converting the Federal Housing Administration into a corporate entity to better meet the needs of its consumers as we move into the next century.

As HUD evolves, the Department is giving more power over to the communities, enabling local communities to design local strategies and target resources, from multiple sources, to implement those strategies. That effort is the very essence of what HUD is calling a "community first, right-side-up" cabinet department that makes "customer service" a priority.

HUD intends to create single point of contact for each of about 183 jurisdictions--those with populations over 150,000 or which are the largest city in each state and counties with populations over 700,000.

In the first year, Executive Order 12898 stipulated that designated Federal Agencies prepare an Environmental Justice Strategy. To address environmental justice issues in the context of urban environmental management and community development, HUD's Strategy, "Achieving Environmental Justice, A Departmental Strategy" identified four priority initiatives that, not only, integrates easily many of the relevant issues associated with environmental justice. These identified environmental justice priority areas are:

- A. Creating Healthy, Viable Environments through Empowerment Zones and Enterprise Communities;
- B. Fighting Childhood Lead-based Paint Poisoning;
- C. Revitalizing Central Cities through Brownfield Redevelopment; and

D. Improving Fundamental Living Conditions in the Colonias.

Under each of these initiatives, the Department's objective was to integrate environmental justice principles and concerns into existing programs.

In addition to the priority initiatives, HUD's Environmental Justice Strategy identified several Options for Implementation. Briefly summarized, the options considered: (1) devising an internal coordinating mechanism; (2) evaluating HUD policies and programs to find opportunities for marrying environmental justice tenets to existing efforts; (3) keeping environmental justice consistent with HUD's ongoing reinvention effort; (4) enhancing public outreach and access to information; (5) encouraging and facilitating training and education; and (6) making guidance and technical assistance readily available.

I. MAKING STRIDES ON THE FOUR PRIORITY AREAS

A. Creating Healthy, Viable Communities with the Empowerment Zones and Enterprise Communities (EZ/EC) Program

Through the Empowerment Zone Program, HUD enables communities to address their own problems, and take actions designed to revitalize their communities, economically, environmentally, and residentially by creating jobs, and attractive places to live and work. HUD has designated 72 communities as urban empowerment zones and enterprise communities. A number of communities have identified specific activities (benchmarks) that advance the goals of environmental justice.

Consider the following:

Baltimore, Maryland seeks to combine physical clean-up of neighborhoods with economic opportunities and social services for the residents. A key project site in Baltimore is the Fairfield Ecological Industrial Park. Currently known as twelve hundred acres of underutilized land, replete with industrial residuals of an abandoned unused older industrial site. This redevelopment will include businesses, jobs, and training programs related to "greener" manufacturing and related cutting edge technology that demonstrate to the foremost degree, "closed loop" production-operational systems that reduce waste and environmental degradation.

HUD is providing direct technical assistance to all designees through community liaisons. The community liaisons will continue to encourage communities to pursue projects which further environmental justice, within the context of remediation of past wrongs, as well as providing economic opportunities, and recapturing and restoring environmentally degraded city neighborhoods.

Lead poisoning is the number one environmental health hazard to America's children under the age of six. It is estimated that 1.7 million children have dangerous levels of lead in their bodies. This represents 8.9% of all children between the ages of one and five. Among African-American children living in the inner city the lead poisoning prevalence rate is thirty seven percent (37%), approximately one-third of all urban Black children have relatively high lead levels. For poor young children of all races, the prevalence rate is seventeen percent (17%).

B. HUD's major responsibilities in ensuring lead safe homes include:

1. Leading a Task Force on Lead-Based Paint Hazard Reduction and Financing to develop feasible ways of harnessing market forces to protect affordable housing and children's health;
2. Issuing technical guidelines on the identification and control of lead-based paint hazards in housing;
3. Informing (in conjunction with the real estate industry) potential homeowners and renters of the hazards and presence of lead based paint in housing during sale or rental;
4. Issuing regulations streamlining lead-based paint requirements for all federally- assisted housing;
5. Administering a grant program for State and local governments to control lead hazards in low-income private housing and build local capacity to do this work safely and cost-effectively;
6. Inspecting and abating during modernization of public and Indian housing;
7. Conducting demonstrations, studies, standards development and technology improvements in lead-hazard detection and reduction; and
8. Designing and implementing public information and awareness strategies.

HUD has been working and will continue to work in earnest to address the complicated and sometimes competing facets of the lead poisoning problem. The 39-member Task Force assembled by HUD under the mandate in Title X of the Housing and Community Development Act of 1992 (Title X) provided a series of recommendations reflecting consensus among health advocates, low-income housing providers, landlords, realtors, the insurance industry, environmentalists, scientists, legal experts, and state and local leaders on how the lead-based paint problem can be solved without driving up the cost of affordable housing or increasing the rate of abandonment and disinvestment in high risk areas.

In the past year, HUD has also made great strides in response to the greater lead problems faced by poor and minority families. What follows are HUD's primary accomplishments to date in addressing lead issues in public housing and low-income and minority neighborhoods:

1. **Lead in Public Housing.** In accordance with a congressional mandate, PHAs have completed testing for lead-based paint in approximately 95 percent of the nation's public housing built before 1978. In addition, HUD has stepped up efforts to abate or reduce the hazards of lead-based paint in public housing. This is driven by HUD's bold transformation of public housing which will lead to the demolition, replacement and substantial rehabilitation of over 30,000 units of the nation's worst public housing in four years. As a result of this effort, HUD has made funds available to ensure that the new replacement and renovated homes are safe from the hazards of lead-based paint poisoning.
2. **Lead Hazard Control Grant Program in Low-Income and Minority Private Housing.** The grant program supports such activities as public education, work with community-based organizations, training, paint inspections and risk assessments, low-cost interim

controls, and lead abatements of varying levels of completeness. Grantees have the flexibility to choose the hazard control methods that work best locally, provided the work is done safely.

3. Evaluation by the National Center for Lead-Safe Housing and the University of Cincinnati. An evaluation is underway to determine the effectiveness of local intervention strategies.
4. Lead Education Campaign. HUD recognizes the critical importance of lead education in preventing childhood lead poisoning. Each of the Lead Based Paint Hazard Control Grant Programs is required to have a significant lead-education program and to actively promote community participation. Each grantee's program is different. Programs include activities are directed to many constituencies including children, parents, landlords, homeowners and renters, medical professionals, and local institutions. Grantees employ various strategies means to reach these audiences including educational events, screening programs, from brochures and buttons to coloring books and videos to capture the attention and inform a diverse audience and support their programs.

a. Philadelphia has implemented a massive public education campaign around the slogan "Wipe it down, wash it away, Get the Lead Out." Advertising is prevalent on buses, billboards, television and radio; the Mayor has personally kicked off the campaign this past November.

b. HUD translates materials into the languages of local ethnic groups, and develops education strategies culturally sensitive to meet the needs of different ethnic groups so that they will be receptive and accept information. To that end, HUD and EPA have jointly sponsored dissemination of the lead hazard warning pamphlet authorized under Title X (titled "Protect Your Family") in Spanish. Also, HUD has developed a photo-novella for publication in "Ser Padres," a leading Mexican-American magazine.

c. HUD helped fund a lead poisoning prevention video currently being distributed through a cooperative agreement with Blockbuster Video, at no rental costs.

- d. Targeted Outreach. In addition to supporting local innovations, HUD will pursue a more targeted public awareness/education campaign on lead poisoning prevention, aiming our efforts at the following opportunities:

Multicultural Venues -- In particular, HUD will target Black and Latino print and broadcast media to increase awareness of the effects of lead paint poisoning and to at least be able to conduct simple prevention methods, even when their house is not lead-free. Additional Spanish language novellas are under consideration.

Real Estate Agencies -- HUD has the support of the National Association of Realtors to disseminate the warning pamphlet at the time of sale and lease. Task Force Report & Guidelines -- HUD will continue broad dissemination of these two documents to raise awareness among key decision makers at the local level.

5. Lead-Based Paint Grant Program/Involvement of Minority and Low Income Populations.

All of the HUD Lead-Based Paint Grantees have action plans designed to maximize the involvement of minority populations, community groups in planning and training activities.

- a. In Cleveland, there are 21 community-based organizations involved in the hazard control work; half of the hazard reduction firms being used are minority-owned. The Ohio Minority Contractors Association is conducting the training and certification of the workers involved in the project. The Cleveland Lead Abatement Specialist Training and Work Experience Program is funded with federal job training funds (JTPA), local foundation grants, Community Development Block Grant Funds and HUD lead hazard control grants. The program includes classroom instruction, workshop skill training, and on- the-job work experience. To date, 48 individuals have enrolled, 44 have graduated and 38 are working -- 32 of these in lead- related fields. Future grantees can eliminate "demonstration project" and use the resources for primary implementation projects, therefore creating many more lead-safe homes, community based jobs and neighborhood empowerment.
 - b. In San Francisco, there are 9 community-based organizations involved in training disadvantaged youth for lead-based paint hazard control work. The individuals completing the training also receive training in seismic retrofitting, so that their job skills are broadened beyond lead abatement work.
 - c. In Cambridge, high school dropouts are targeted for inclusion in the program. After going through the training, the individuals receive their GED. They are also placed with local abatement contractors to help ensure gainful employment following the training. In Massachusetts, over half of the work (\$700,000 to date) has been done by minority-owned firms.
 - d. In Baltimore, fathers of children whose mothers are enrolled in the Healthy Start program are specifically targeted for training as abatement workers.
 - e. In Boston, a diverse coalition has been developed to be involved in the work, including the Ecumenical Social Action Committee, Urban Edge, Lena Park Community Center and the Dorchester Economic Development Corporation.
 - f. A model, public-private sector lead hazard reduction training program has been established in Compton, a poor Hispanic and African American community near South-Central Los Angeles. More than 118 low-income workers have been trained and are working on lead-based paint hazard reduction. A minimum of five slots in each training program are made available free to community trainees recommended by HUD's grantee. Plans are underway to develop two more model training centers as part of the HUD grant program, by adding lead hazard reduction training to the existing weatherization training programs in northern (Stockton) and central (Fresno) California.
6. Notification. The Lead-Based Paint Poisoning Prevention Act requires HUD to notify all recipients of HUD associated housing about the dangers of lead-based paint.

To this end, HUD developed a brochure entitled "Lead-Based Paint, A Threat to Your

Children." In simple language, the brochure describes lead poisoning and its origin and offers preventive or mitigative actions that parents can take. Everyone who rents or owns HUD-associated housing -- public housing, housing assisted under the block grant program, single family mortgage insurance -- must acknowledge receipt of this brochure. This pamphlet was replaced in 1996 by the EPA/CPSC pamphlet called "Protect Your Family," which has been tested extensively in focus groups. HUD had considerable input into the design of the pamphlet and as noted above, has funded its translation into Spanish.

In addition, HUD, in partnership with the real estate industry and smaller landlords, will inform every potential renter or homeowner, at the time of rental or sale of a pre- 1978 unit, of the dangers of lead-based paint by handing over this new brochure. Any information on the presence of lead-based paint in the dwelling (such as a previous inspections) must also be disclosed to buyers or renters before they become obligated under a sales contract or lease.

7. Opportunities for Interagency Coordination. Solid program, policy and research coordination among federal agencies continue and remain critical in the efforts to eliminate lead hazards for children. At the same time, HUD has identified several key areas in which greater attention is needed in order to carry out an effective, broad-based strategy for lead.

- a. Infrastructure Development. HUD will work with EPA, the principal agency for issuing minimum national standards for the State certification and training programs, on promulgating the regulations governing worker training and contractor certification programs to strengthen the quality of the lead industry and to accelerate the passage and implementation of state legislation across the country. The HUD Hazard Control Grant Program has been the "carrot" in stimulating state action in this area.

- b. Superfund Liability. With assistance from EPA, HUD has issued a Notice to all Housing Agencies on how to control liability exposure when confronted with contaminated site cleanup under Superfund by granting site access; HUD expects to explore other areas of coordination between residential lead hazard control work and Superfund remediation in high risk residential areas.

- c. Science and Technology. HUD will work with key agencies to analyze the effectiveness of current lead testing and abatement technology.

- d. Combining the HUD Lead Paint Grant Program and the Superfund Grant Program for Selected Sites. HUD and EPA are exploring the possibility of finding ways to permit Lead Grant Program funds and Superfund monies to be used to control lead hazards at residential Superfund sites. Currently, Superfund money may be used to control soil and exterior paint lead hazards only (since exterior paint could cause recontamination of soil abatement jobs). Superfund may not be used to control interior lead-based paint hazards, but HUD money can. Both agencies are working to develop practical means of implementing this concept.

8. Next Steps for Lead Hazard Control in Low-income and Minority Neighborhoods.

HUD will work closely with the 56 state and local grantees to facilitate the implementation of lead hazard reduction initiatives in high risk minority neighborhoods and to implement the recommendations of the HUD Task Force at the local level.

HUD is created a \$10 million set-aside for lead research, technical studies and technical assistance to State and local governments under the new HOME Fund. The Department will also continue to ensure that grantees develop environmental justice initiatives at the local level through the grant funds.

C. Revitalizing Central Cities through Brownfield Redevelopment

The presence of older industrial, abandoned or underutilized properties can have a chilling effect on urban reinvestment and central city revitalization. Such properties are often referred to as "Brownfields." EPA defines Brownfields as abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. However, for HUD's purposes, the definition of brownfields must be termed within the context of urban revitalization, to include blight and urban abandonment. It includes properties that have redevelopment problems due to, for instance, poor location, old and obsolete infrastructure, and other more elusive factors often associated with the decline of urban areas and neighborhoods.

In many instances, the issue of environmental justice is realized when low income populations and minority populations reside in close proximity to "brownfield" properties: Properties that once may have had thriving industrially- and commercially- based activities. Much low-income housing and minority dominated neighborhoods are located on marginal lands or sites near commercial and industrial sites or supportive infrastructure (freeways, railway tracks, etc.). Land near commercial or industrial sites is often cheaper and frequently used for low-income housing. Regardless of the reasons for the proximity, one factor contributing to the economic decline of central cities can be contributed to the exodus of light industry and commercial operations. Once gone, central cities are left with so-called "brownfield sites."

A prerequisite to economic development is the availability of attractive (that is "attractive" from an investor's or developer's perspective), strategically located, "ready" sites. Numerous actions are needed to identify, rank and categorize, publicize, and "ready" such sites. Consistent with the Department's Environmental Justice Strategy to address "Brownfields Redevelopment" in the context of the redevelopment of central cities, HUD considered and has made progress in the following areas. Broadly stated HUD's actions can be categorized within the following themes;

- financing strategies
- creating public-private means to facilitate the clean-up redevelopment process
- providing better information to communities
- evaluating HUD policies and programs
- providing technical assistance and guidance.

To implement the Environmental Justice Executive Order, the Department has carried out the following brownfields redevelopment objectives:

1. Entered into its first joint research effort with the Environmental Protection Agency (EPA) to determine the extent to which potential environmental hazards hamper private investment in distressed communities. Started late 1995, the project is expected to be completed in one

year. HUD is continuing to explore other possible joint research interests with EPA to improve the data, and better understand the how Brownfields may affect central city redevelopment opportunities.

2. Initiated a campaign to provide assistance to communities on a spectrum of issues dealing with brownfield amelioration and reuse. HUD is working with EPA on its companion project to provide technical assistance to communities as they contemplate and develop solutions to complex, technical, economic- financing issues, and community participation and stakeholder involvement. The HUD effort should result in concrete suggestions for identifying and replacing restraints that may inhibit the use of Community Development Block Grant monies by grantees in their redevelopment of Brownfields.
3. Coordinated and contributed to the development of guidelines for the EPA Brownfield Economic Redevelopment Pilot program. By contributing to the EPA guidelines for the "Pilots, HUD was able to share its knowledge, experience, and insight on economic and community development. In addition, it provided an opportunity for HUD and EPA to link EPA pilot sites with HUD's EZ/EC initiatives where possible.

In addition, HUD is working with legislators to create a new Community Development Block Grant (CDBG) Fund that will enable communities to pursue brownfields clean-up and redevelopment. HUD proposes to set aside 10 percent within the CDBG Fund for an estimated \$300 million "bonus pool" to support job creation, neighborhood revitalization and financing economic redevelopment of distressed communities. The bonus pools will be available on a competitive basis to jurisdictions whose attainment of performance measures are among the most highly ranked, bonus pool resources.

In certain geographic areas of our country, many of our citizens, children and adults, live in environments plagued by extreme poverty, no physical or social infrastructure, degraded and hazardous environmental circumstances, and substandard shack-like housing conditions. Conditions, one would usually attribute to the poor living in developing countries. These communities, such that they are, are located on Native American Tribal Nation lands, in farm worker camps, and in states along the United States--Mexico border- "Colonias." The unique character of these communities, their poverty and remoteness, and the fact that they often are unincorporated, challenge resolution and solutions using HUD's customary program approach.

HUD continues its commitment to facilitate hope and opportunity for the families living in the border communities, in the absence of additional Congressional funding authority for a new expanded Colonias Assistance Program. To adjust for the lack of "new" funds, the Department has tapped into the Section 8 Community Investment Demonstration (Pension Fund Program) to fund three multifamily projects in the Colonias region.

The Azteca project is sponsored by the Azteca Economic Development Corporation (EDC) of Laredo, Texas: A local non-profit community support organization founded in 1982. The project includes new construction of 50 units of Section 8 rental housing for low income families. In addition to the rental housing, the Azteca EDC will provide on-site support services such as basic life necessities (income support, food, clothing, et cetera) along with referrals to employment and job training opportunities, educational programs, access to consulting and counseling services for mental and physical wellness, substance abuse therapy, family support, and other services that improve the quality of life and improve the standard of living.

Under the Department's Community Outreach Partnership Centers Program (COPC), two universities designed programs specifically targeted to Colonias neighborhoods. They are the University of Texas-Pan American, Edinburg, Texas and Texas A&M University, College Station, Texas, with awards of \$300,000 and \$580,000 respectively. Descriptions of the COCP programs are as follows:

1. University of Texas-Pan American, Edinburg, Texas

The University of Texas-Pan American will serve two clusters of colonias neighborhoods in the Lower Rio Grande Valley of Texas. These settlements known locally as Cameron Park and Progreso are located in Cameron and Hidalgo counties, respectively. The program builds on an established existing partnership with the two neighborhoods. Activities under the COPC project include:

- (a) Assisting the community advisory council to create a Colonia Development Corporation (CDC),
- (b) Implementing an Entrepreneurial Skills Development Training program,
- (c) Developing a micro-enterprise loan program for the CDC to operate,
- (d) Implementing a preventive health care program for both neighborhoods, and
- (e) Mobilizing crime prevention resources.

2. Texas A&M University, College Station, Texas.

The Texas A&M University's Colonias program will serve ten colonias communities in Webb County, Texas. The COPC program provides and will advance a comprehensive strategy to extend community development efforts for one Colonia to the remaining nine. The program will include research to:

- (a) Assess and recommend subdivision regulations;
- (b) Determine barriers to implementation of infrastructure programs; and
- (c) Ascertain the demand for specific recreation and youth programs.

As part of the University's outreach, one component will be to provide programs for job training, communications building, family support and youth programs, leadership training, and community development training. These efforts are designed specifically to respond and ameliorate living conditions normally associated with the developing world (Global South), but are being experienced by the residents of the Colonias daily.

II. OPTIONS FOR IMPLEMENTATION

A number of implementation options are cited in Section II of the Department's strategy, Achieving Environmental Justice. Included among the options are (1) providing technical assistance and (2) effective education, training, and communication. Under technical assistance, HUD has been engaged directly in environmental justice related urban revitalization efforts in three communities:

1. Altgeld Gardens (also known as the "Toxic Donut") a public housing development in south Chicago surrounded by hazardous operations, waste treatment facilities, and adjacent to the Calumet Industrial District,

2. Anacostia/Congress Heights Partnership, which includes in their Partnership, nine public housing developments in Southeast Washington, DC, and the Washington Naval District, and
3. East St. Louis Public Housing Authority and City in their public-private partnership efforts in urban revitalization.

With regard to another implementation option identified in HUD's Strategy is, "Providing Effective Education/Training and Communication, HUD staff has provided training and education on the Department's Environmental Justice Strategy, options for implementation to both HUD staff and to community groups.

To keep the lines of communication and information flowing between HUD field staff and HUD constituency, HUD will make available to environmental staff, EPA's "Principles for Environmental Cleanup of Federal Facilities." While the Principles are targeted specifically to Federal Facilities, the Department believes that many of the recommendations will be useful to grantees, and EZ/EC communities. From these principles, communities will be able to distill for their own use, elements they find useful in their environmental clean up, revitalization and redevelopment efforts.